

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7, Rio Brazos

Subfile No. CHRB-009-0015

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and pursuant to Fed. R. Civ. P. 25(a)(1) moves the Court to issue its order substituting Rosemary Ulibarri for defendant Juan M. Aguilar in these proceedings, and as grounds Plaintiff states the following:

1. The State's proposed Consent Order in subfile CHRB-009-0015 was approved by defendant Juan M. Aguilar and filed with the Court on May 15, 2003 (Doc. No. 7141). Mr. Aguilar is now deceased, and Rosemary Ulibarri is his successor-in-interest. There is an outstanding claim in connection with the lands now owned by Ms. Ulibarri, and the State and Ms. Ulibarri intend to file a Consent Order to resolve those claims.

WHEREFORE the State of New Mexico requests the Court to enter its order substituting Rosemary Ulibarri for defendant Juan M. Aguilar in these proceedings.

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General

Office of State Engineer
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Santa Fe, NM 87504-5102
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 6th day of June 2008 I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF Participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Rosemary Ulibarri
P.O. Box 64
Tierra Amarilla, NM 87575

/s/ Ed Newville
EDWARD G. NEWVILLE